

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

SACHIN KUMAR

PETITIONER

v.

CIVIL ACTION NO.: 5:20-cv-178-TBM-MTP

**CHAD WOLF, *Acting Secretary of
the U.S. Dept. of Homeland Security*;
WILLIAM P. BARR, *U.S. Attorney General*;
MATTHEW ALBENCE, *Acting Director of ICE*;
KEN CUCCINELLI, *Acting Director of USCIS*;
HENRY LUCERO, *Field Office Director for
Detention and Removal, ICE*; STANLEY
CROCKETT, *Field Office Director for Detention
and Removal, ICE*; SHAWN GILLIS, *Warden,
CoreCivic Adams County Detention Center***

RESPONDENTS

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on submission of the Report and Recommendation [47] entered by United States Magistrate Judge Michael T. Parker on June 1, 2021. After considering the record and applicable law, Judge Parker recommends that the Motion to Dismiss Petition for Writ of Habeas Corpus [41] be granted, the Motion to Lift Stay of Removal of Detainee [39] be granted, the Petition for Writ of Habeas Corpus [1] be dismissed with prejudice, and Petitioner's request for attorney's fees be denied. The Plaintiff has not filed an objection to the Report and Recommendation, and the time for filing an objection has expired.

"When a party fails timely to file written objections to the magistrate judge's proposed findings, conclusions, and recommendation, that party is barred from attacking on appeal the unobjected-to proposed findings and conclusions which the district court accepted, except for plain error." *Casas v. Aduddell*, 404 F. App'x 879, 881 (5th Cir. 2010) (citing *Douglas v. United Serv.*

Auto Ass'n, 79 F.3d 1415, 1428-29 (5th Cir. 1996) (en banc); 28 U.S.C. § 636(b)(1)). Having considered Judge Parker's Report and Recommendation, the Court finds that it is neither clearly erroneous nor contrary to law. FED. R. CIV. P. 72(b).

IT IS THEREFORE ORDERED AND ADJUDGED that the Report and Recommendation [47] entered by United States Magistrate Judge Michael T. Parker on June 1, 2021, is ADOPTED as the opinion of the Court.

IT IS FURTHER ORDERED AND ADJUDGED that Respondent Shawn Gillis' Motion to Dismiss Petition for Writ of Habeas Corpus [41] is GRANTED.

IT IS FURTHER ORDERED AND ADJUDGED that Respondent Shawn Gillis' Motion to Lift Stay of Removal of Detainee [39] is also GRANTED.

IT IS FURTHER ORDERED AND ADJUDGED that Petitioner's Petition for Writ of Habeas Corpus [1] is DISMISSED WITH PREJUDICE.

IT IS FURTHER ORDERED AND ADJUDGED that Petitioner's request for attorney's fees is DENIED.

THIS, the 21st day of October, 2021.


TAYLOR B. McNEEL
UNITED STATES DISTRICT JUDGE